



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/777,599	02/11/2004	Ching-Wu Tseng	JCLA12098	4941

23900 7590 12/13/2005

J C PATENTS, INC.
4 VENTURE, SUITE 250
IRVINE, CA 92618

EXAMINER

ENGLUND, TERRY LEE

ART UNIT	PAPER NUMBER
----------	--------------

2816

DATE MAILED: 12/13/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/777,599

Applicant(s)

TSENG ET AL. 

Examiner

Terry L. Englund

Art Unit

2816

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 September 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 4,5,7,8,11,12 and 14-18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 4, 5, 7, 8, 11, 12, and 14-18 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 28 September 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment/Drawings

The amendment and drawings submitted on Sep 28, 2005 have been reviewed and considered with the following results:

The drawings have overcome the objections described in the previous Office Action, and have been approved by the examiner. Therefore, those objections have now been withdrawn.

The amended paragraphs overcame all the objections to the disclosure described in the previous Office Action, and these objections have also been withdrawn.

Amended claim 14 overcame its objection with respect to “the first” and “a first.” Although those objections have been withdrawn, its other objection with respect to “the other terminal” was not addressed. Therefore, that objection has been maintained and is repeated later under the appropriate section.

The cancellation of claims 1-3, 6, 9-10, and 13 rendered their corresponding rejections moot.

Amended claims 8, 12, 14, 15, and 17 overcame their respective rejections described in the previous Office Action, which have now been withdrawn. However, amended claims 12 and 16 created new problems, and amended claims 4 and 14 still have related problems, which need to be addressed (e.g. claim 4’s “the first control signal”; and claim 14’s “third transistor”) satisfactorily. These rejections are described later under the appropriate section.

The amended claims overcame the prior art rejections of claims 7-8, and 11-12 under 35 U.S.C. 102(b), with a respect to Hirasawa. That reference lacks the switch as recited within

Art Unit: 2816

claim 4, upon which claims 7-8, and 11-12 now depend. Therefore, those prior art rejections have been withdrawn.

Claim Objections

Claims 14-18 remain objected to because of the following informality: It is suggested “the other” on line 15 of claim 14 be changed to --another-- or --a second-- to minimize the possibility that “the other terminal” phrase can imply this terminal has already been cited within the claim. Claims 15-18 carry over the objection from claim 14. An appropriate correction is required.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 4-5, 7-8, 11-12, and 14-18 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which the applicants regard as the invention. It is believed the switch on line 11 of claim 4 should be controlled by the second control signal instead of the first control signal. Using the applicants' own Fig. 2 as an example, both transistors 201 and 251 are shown receiving signal VA, wherein 201, 251, and VA correspond to claim 4's second transistor, switch, and second control signal, respectively. Signal VA', applied to gate 241, corresponds to the claimed first control signal. Therefore, the switch itself is not actually controlled by the first control signal as presently claimed. The descriptions of the first/second control signals within claim 12 are confusing and misleading. As presently written, it appears the first control signal will always be a low voltage signal, wherein the second control signal will always be a high voltage signal. However, aren't

Art Unit: 2816

the signals complementary, periodic signals wherein one will be high when the other is low?

Since amended claim 14 no longer has both the second and third transistors connected to ground, there is no structural relationships between the third transistor and any of the other elements cited (e.g. the switch, first/second transistors, capacitor, or buffer). The amended phrase "said capacitor further comprising" on lines 1-2 of claim 16 created two new problems: 1) The "further comprising" implies the capacitor was already cited as comprising something else. However, what it comprises in claim 14 is not clear. 2) If the capacitor comprises the fourth transistor, why is it connected to the fourth transistor as recited on line 6? This limitation appears to indicate the capacitor and fourth transistor are two distinct elements. Therefore, corrections, and/or clarifications, are required that will satisfactorily address the problems described above.

Dependent claims carry over any rejection(s) from any claim(s) upon which they depend.

No claim is allowable as presently written.

Claims 1-3, 6, 9-10, and 13 have been cancelled.

Allowable Subject Matter

However, claims 4 and 14 would be allowable if rewritten or amended to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action. There is presently no strong motivation to modify or combine any prior art reference(s) to ensure the voltage level shifter also includes the switch as recited within each of claims 4 and 14.

Also, claims 5, 7-8, 11-12, and 15-18 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims since there is no motivation to ensure the voltage level shifter also has the switch as recited. [Note: All of these claims carry

Art Unit: 2816

over the rejection from their corresponding independent claim, wherein claims 5, 7-8, and 11-12 depend on claim 4, and claims 15-18 depend on claim 14.]

Prior Art

The prior art reference cited on the accompanying PTO-892 was found during the recent update search. It is cited for interest and documentation purposes only. Tseng et al.'s Fig. 3A circuit closely corresponds to the applicants' own Fig. 2 circuit. However, switch SW1 receives control signal V3, and when referring to Fig. 3B, it is noted that signal V3 is not the same as either control signal V2 (applied to the gate of transistor P1) or control signal V1 (applied to one input of the AND gate). Therefore, this reference's Fig. 3A is structurally similar to the applicants' own invention, but it does not meet the recited limitations related to the first and second control signals as recited (or understood) within the present application's claim 4.

The applicants' amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Art Unit: 2816

Any inquiry concerning this communication, or previous communications, from the examiner should be directed to Terry L. Englund whose telephone number is (571) 272-1743.

The examiner can normally be reached Monday-Friday from 7 AM to 3 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tim Callahan, can be reached on (571) 272-1740.

The new central official fax number is (571) 273-8300.

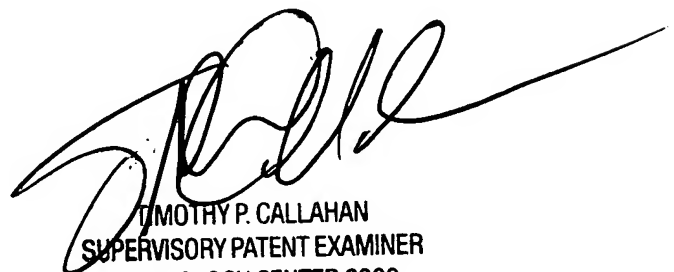
Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (571) 272-1562.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Terry L. Englund

30 November 2005



TIMOTHY P. CALLAHAN
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2800

Replacement Sheet

Approved
11.28.05
TLE

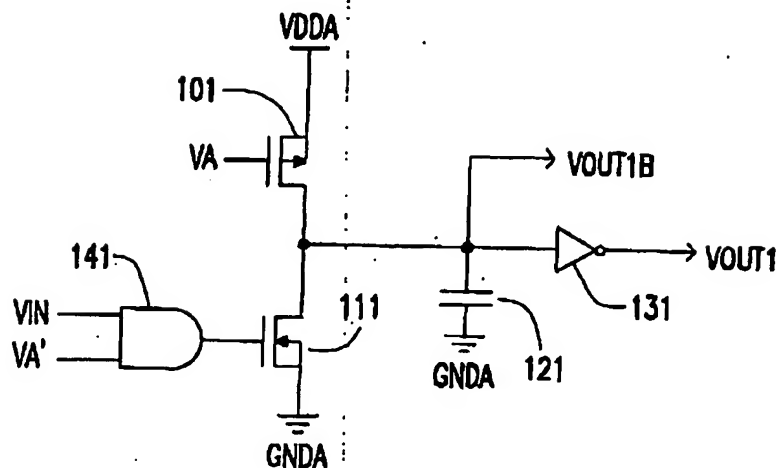


FIG. 1

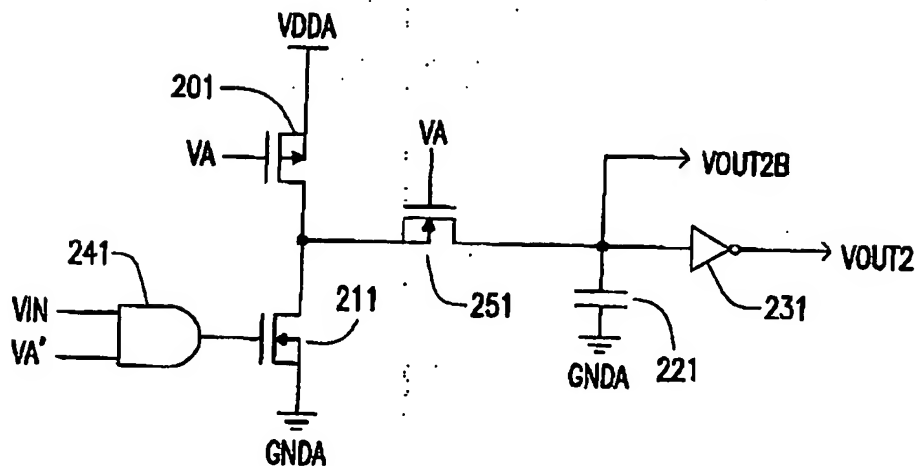


FIG. 2

BEST AVAILABLE COPY

Approved
11-20-05
TLE

FIG. 3

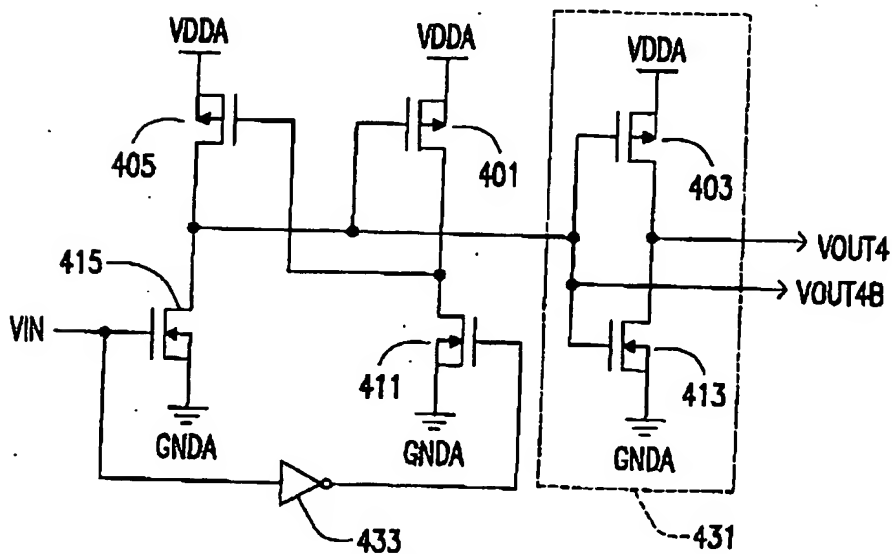


FIG. 4 (PRIOR ART)